

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Rulemaking to Establish a Low)	RM-11287
Power AM Radio Service)	
)	
)	
)	

COMMENTS OF ARSO RADIO CORPORATION

Arso Radio Corporation (“Arso”)¹ submits these comments in response to the Commission’s *Public Notice*² seeking comment on a Petition for Rulemaking to Establish a Low Power AM Radio Service filed on behalf of five (5) different parties and docketed of record on August 23, 2005. For convenience of reference the petitioners will be referred to collectively at the “Amherst Alliance”.

For the reasons set forth below, Arso strongly opposes any rulemaking regarding the establishment of a low power AM radio service. Arso believes that additional “clutter” on the AM dial by the establishment of low power AM radio service will serve only to diminish the reception of any AM broadcast signals by the listening public, and will, in circumstances such as Arso faces on an island, result in further interference of traditional authorized AM facilities. Arso already faces interference to its AM stations from other AM facilities located in foreign countries (i.e. Cuba, Dominican Republic, Venezuela) that are broadcasting on the same channel or immediately adjacent channels to Arso with power levels in excess of those registered with the ITU. The addition of any additional facilities, particularly in a water bound area of land such as Puerto Rico, will only further add to the cacophony of noise currently found on the AM side of the dial and will diminish the Commission’s well intentioned efforts to restore the AM broadcast service to a viable commercial service (i.e. the IBOC/HD Radio digital conversion proceedings). Arso has made significant investment in the HD Radio conversion for its facilities and addition of low power AM stations would serve only to diminish the improvements occasioned by the HD Radio implementation.

Apart from the issues set forth above, Arso also has issues with the content of the proposal and the requested relief or “key principles” of the Amherst Alliance petition. Notably, the petition does NOT offer or suggest any form of technical standards for this purported LP AM service, in all likelihood because no such

¹ Arso is an FCC licensee of AM broadcasting facilities located in Puerto Rico.

² *Public Notice* Report No. 2735 released October 21, 2005 (“*Public Notice*”).

technical standards could be advanced without serious interference issues both for daytime and nighttime signals. Furthermore, the “key principles” endorsed by the petitioners seem, taken collectively, to support the endorsement of the FCC for pirate broadcasting with the imprimatur of official sanctioning by the Commission. For example, the key principles endorse (1) freedom to air commercial advertising; (2) exemption from the auction procedures; (3) available to individuals and entrepreneurs, (4) exclusion of any established broadcasters, (5) credit for programming regardless of prior community service and (6) establishment in urban areas. Taken as a whole, these principles clearly suggest a blueprint for officially sanctioned “pirate” broadcasting, where these LP AM facilities could compete for advertising dollars with traditional broadcasters, but not be held to the same standards and obligations of such broadcasters.

While the establishment of additional broadcast service for underserved communities is a laudable goal, the establishment of an LP AM service (after all the efforts and strides the Commission has made towards making traditional AM service viable again through proceedings such as the IBOC/HD Radio and other technical improvements) is a remarkable BAD idea which should be discarded immediately, particularly where, as here, the proposed implementation of the service (in urban areas) is exactly where the AM service is most significantly challenged already.

In conclusion, Arso recommends that the Commission reject the requested Petition for Rulemaking and continue its ongoing efforts to restore AM broadcasting to a viable service.

RESPECTFULLY SUBMITTED,

ARSO RADIO CORPORATION
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